

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65349 of 2018

Arising Out of PS. Case No.-19 Year-2018 Thana- TEYAR District- Bhojpur

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Raju Kumar @ Raju Yadav @ Raj Kumar, Son of Vindhyachal Singh @ Bindhyachal Singh, resident of Village- Mela Road Bihiya, P.S.- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30/ 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1278.600 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. In course of investigation, his name has come. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 1278.600 liters wine is recovered from the co-accused Md. Muslim. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Bhojpur in connection with Tiyer P.S. case No.19 of 2018/Excise case No.657 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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